

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

SANDRA GRANT

PLAINTIFF

vs.

Civil Action No. 3:04-cv-946 WS

**EATON AEROSPACE,
VICKERS FLUID POWER**

DEFENDANTS

ORDER OF DISMISSAL

On June 26, 2006, plaintiff Sandra Grant in the above-styled and numbered action requested this court to allow her additional time to prepare a response to the outstanding motion for summary judgment filed by defendant Eaton Aerospace. In her letter, plaintiff states that currently she is still without counsel although she has been “diligently searching daily,” that she has a court date on August 2, 2005 [sic] regarding a different court matter and that she has weekly medical appointments and medical issues.

Defendant Eaton Aerospace opposes this letter motion for additional time. In support of its opposition, defendant relies upon the following facts: plaintiff filed this action *pro se* on November 24, 2004. Defendant answered on December 21, 2004. Counsel entered an appearance for plaintiff on April 22, 2005, but asked to be excused from further representation on August 26, 2005. Said request was granted October 4, 2005, and plaintiff was directed “on or before November 3, 2005, either to have her new counsel enter an appearance or, alternatively, inform the court in writing that she wishes to proceed with this action *pro se*.” Plaintiff made no response. On

December 20, 2005, plaintiff by letter requested additional time to retain an attorney. On February 27, 2006, defendant filed a motion for summary judgment as to all of plaintiff's claims. Plaintiff filed no response. On April 17, 2006, this court entered an Order to Show Cause requiring plaintiff to file a response to defendant's summary judgment on or before Friday, April 28, 2006. Plaintiff filed no response. On May 30, 2006, this court held a final pretrial conference and plaintiff again requested additional time in which to obtain an attorney and time to submit a response to defendant's pending motion for summary judgment. By order dated May 31, 2006, this court granted plaintiff fourteen (14) days from the date of the order to hire legal counsel. The court also granted plaintiff an additional ten (10) days to response to defendant's summary judgment motion. Plaintiff was cautioned that failure to abide by this order would result in this court's dismissal of this action.

Notwithstanding the court's previous orders advising plaintiff that her dilatory actions were jeopardizing the life of this lawsuit, the plaintiff still has not complied with the court's orders to secure counsel or announce that she will represent herself, nor with the court's orders to respond to defendant's motion for summary judgment. Plaintiff simply has refused to meet the deadlines established by the court's previous orders. Plaintiff has offered no compelling justification for her repeated failures to comply with these orders. Plaintiff still has refused to submit any response whatsoever to defendant's motion for summary judgment.

Now, therefore, for good cause shown in defendant's renewed motion to dismiss, this court hereby dismisses plaintiff's action in its entirety without prejudice for her failure to submit any response whatsoever to defendant's pending motion for

summary judgment and for her failure to comply with the Uniform Local Rules, the court's Order to Show Cause and the court's May 31, 2006, order.

SO ORDERED, this the 10th day of July, 2006.

s/ HENRY T. WINGATE

CHIEF UNITED STATES DISTRICT JUDGE

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